

## V. REMARKS

Claims 1-3 and 7-11 are rejected under 35 U.S.C. 112, first paragraph.

Claims 1-3 and 7 are amended to obviate the rejection. Claims 8-11 are canceled and therefore the rejection as applied to these claims is now moot. Withdrawal of the rejection is respectfully requested.

Claims 1-3 and 7-11 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-3 and 7 are amended to obviate the rejection. Claims 8-11 are canceled and therefore the rejection as applied to these claims is now moot. Withdrawal of the rejection is respectfully requested.

Claim 1 is rejected under 35 U.S.C. 102(b) as anticipated by Stevens (U.S. Patent No. 4,371,410). The rejection is respectfully traversed.

Stevens teaches a method of applying and stitching a tape, such as a strip of rubber, onto a body. The tape is supplied to an applicator roller in contact with the body as the body moves. The tape is stitched to the body by passing stitching rollers over the tape in contact with the body. Rotation of the body is stopped upon completion of the buildup of the layer of tape on the body. The applicator roller is retracted from the body while, substantially simultaneously, a brake is applied to the applicator roller to stop advancing the tape to the body. The body that is in still contact with the stitching rollers to the stretch tape between the braked applicator roller and the stitching rollers is moved until the tape breaks somewhere between the applicator roller and the stitching rollers.

Claim 1 is directed to a method for wrapping a rubber strip around a forming drum with the help of a rubber strip wrapping apparatus comprising an injection device operative for extruding an unvulcanized rubber strip from an extrusion outlet and a guide roll device connected to said injection device and having a guide roll rotatable about a guide roll axis and movable to and between an extended state and a retracted state. Claim 1 recites that the method includes the steps of:

providing an injection device operative for extruding an unvulcanized rubber strip directly from an extrusion outlet and a guide roll device connected to the injection device and having a guide roll rotatable about a guide roll axis and movable to and between an extended state and a retracted state;

extruding the unvulcanized rubber strip from the extrusion outlet of the injection device;

providing the extruded unvulcanized rubber strip from the extrusion outlet to the guide roll without the extruded unvulcanized rubber strip contacting any intermediate element disposed between the extrusion outlet and the guide roll;

pressing the rubber strip by the guide roll, when the guide roll is in the extended state, against the forming drum under tension with the guide roll and the extrusion outlet of the injection device disposed apart from one another at a length defining a space therebetween and with the space sized to receive overshoot amounts of the extruded rubber strip while extruding the unvulcanized rubber strip;

rotating the forming drum in synchronism with extrusion of the rubber strip so that the guide roll is driven when in the extended state; and

wrapping the rubber strip guided by the guide roll around the forming drum while extruding the unvulcanized rubber strip.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 1. Specifically, it is respectfully submitted that the applied art fails to teach the step of providing an injection device operative for extruding an unvulcanized rubber strip from an extrusion outlet and a guide roll device connected to the injection device. Further, it is respectfully submitted that the applied art fails to teach the step of providing the extruded unvulcanized rubber strip directly from the extrusion outlet to the guide roll. Thus, it is respectfully submitted that claim 1 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Claims 2 and 3 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Satoh et al. (U.S. Patent No. 5,059,268). The rejection is respectfully traversed.

Satoh teaches a method for applying tire material to a drum in a tire building process. A cut leading end of a ply adheres onto the building drum by a leading-end applying and pressure-adhering roller. The building drum is caused to rotate at an angle less than one rotation and thereafter the ply is cut by a cutter mechanism. The

building drum is further rotated to join the cut trailing end of the ply with the cut leading end while the roller is pressure-adhering the cut trailing end of the ply against the building drum.

Claims 2 and 3 depend from claim 1 and include all of the features of claim 1. It is respectfully submitted that the dependent claims are allowable at least for the reasons claim 1 is allowable as well as for the features they recite. For instance, claim 2 recites a step of providing a cutter device connected to the guide roll device and having a cutting element operative to rotate about the guide roll axis. For this additional reason, it is respectfully submitted that claim 2 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Soma et al. (Japan 363) in view of Stevens and Satoh. The rejection is respectfully traversed.

It is respectfully submitted that the rejection is improper under 35 U.S.C. 102(b) because each element of the claimed invention must be shown in a single reference.

With regard to the rejection under 35 U.S.C. 103(a), it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests the features of claim 1 discussed above. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claim 9 is canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as unpatentable over Stevens in view of Landsness (U.S. Patent No. 4,279,683). The rejection is respectfully traversed.

Landsness teaches a tire building machine that winds tread stock onto a tire as a tire rotates.

Claim 7 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Claim 8 is canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as unpatentable over Japan 363 (or Japan 363 in view of Stevens and Satoh) and further in view of Satoh. The rejection is respectfully traversed.

Claims 2 and 3 depend from claim 1 and include all of the features of claim 1. It is respectfully submitted that the dependent claims are allowable at least for the reasons claim 1 is allowable as well as for the features they recite. For instance, claim 2 recites a step of providing a cutter device connected to the guide roll device and having a cutting element operative to rotate about the guide roll axis. For this additional reason, it is respectfully submitted that claim 2 is allowable over the applied art.

Withdrawal of the rejection is respectfully requested.

Claims 7, 8, 10 and 11 are rejected under 35 U.S.C. 103(a) as unpatentable over Japan 363 (or Japan 363 in view of Stevens and Satoh) and further in view of Landsness. The rejection is respectfully traversed.

Claim 7 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Claims 8, 10 and 11 are canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 1-3 and 9 are rejected under 35 U.S.C. 103(a) as unpatentable over Iizuka et al. (U.S. Patent No. 6,372,070) in view of Stevens and Satoh. The rejection is respectfully traversed.

Iizuka teaches an apparatus for laying rubber materials on a rotating support for making tires.

With regard to the rejection under 35 U.S.C. 103(a), it is respectfully submitted that none of the applied art, alone or in combination, teaches or suggests

the features of claim 1 discussed above. Thus, it is respectfully submitted that one of ordinary skill in the art would not be motivated to combine the features of the applied art because such combination would not result in the claimed invention. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2 and 3 depend from claim 1 and include all of the features of claim 1. It is respectfully submitted that the dependent claims are allowable at least for the reasons claim 1 is allowable as well as for the features they recite.

Claim 9 is canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 7, 8, 10 and 11 are rejected under 35 U.S.C. 103(a) as unpatentable over Iizuka, Stevens and Satoh and further in view of Landsness. The rejection is respectfully traversed.

Claim 7 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Claims 8, 10 and 11 are canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: October 27, 2003

By:

  
\_\_\_\_\_  
David T. Nikaido  
Reg. No. 22,663

Carl Schaukowitch  
Reg. No. 29,211

**RADER, FISHMAN & GRAUER PLLC**  
1233 20<sup>th</sup> Street, N.W. Suite 501  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751  
Customer No. 23353

DC137074